

Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

**CODE OF VIRGINIA
§ 45.1-361.26****VIRGINIA:****BEFORE THE GAS AND OIL BOARD****APPLICANTS:**

CNX Gas Company LLC on behalf of Torch
Operating Company and certain Catherine
Hylton Heirs (34) in Tract 1 plus Coal
Mountain Mining Co and certain G.W. Sisk
Heirs (56) in Tract 4.

DOCKET NO.**01-0918-0921-01****RELIEF SOUGHT:**

Issuance: A Supplemental Order for Disbursement of Escrowed Funds
Action: Amending Prior Orders Affecting Drilling **DD-28**,
a portion of Tracts 1 and 4.
(Referenced herein as "the Subject Drilling Unit")

Location: Buchanan County, Virginia

Action Details:

- (1) To provide a calculation of funds, Unit Operator has deposited into the Escrow Account for Drilling Unit **DD-28** by Tract Subaccounts;
- (2) To provide each applicant, in simple terms, a complete month over month Royalty Accounting of unit production, costs, taxes and proceeds, depicting variables used in the calculation of royalty payments to the unit escrow account.
- (3) To disburse unit funds to the Applicants, in accordance with their Unit Ownership Interests relative to those funds deposited by the Unit Operator into Subject Drilling

REPORT OF THE BOARD**FINDINGS AND ORDER**

1. **Hearing Date and Place:** This matter came on for final hearing before the Virginia Gas and Oil Board (herein "Board") at 9:00 a.m. on March 16, 2010 at the Russell County Government Complex, Conference Center, and 139 Highland Drive, Lebanon, VA.
2. **Appearances:** Mark A. Swartz, Esq. SWARTS Law Offices PLLC appeared for the Unit Operator; and Sharon M.B. Pigeon, Assistant Attorney General, was present to advise the Board.
3. **Jurisdiction and Notice:** Pursuant to Va. Code §§ 45.1-361.1 *et seq.*, and in particular Va. Code §§ 45.1-361.21 and 45.1-361.22, the Board finds that it has jurisdiction over the establishment and maintenance of an escrow account, with tract subaccounts, for each of the coalbed methane gas drilling units established by the Board through its field rules that are subject to a Board pooling order. Further, the Unit Operator is required to deposit, as applicable, those funds specified in Va. Code § 45.1-361.21.D., 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4 into the applicable escrow tract subaccounts. The Board finds that: (1) while it **does not** have jurisdiction to resolve conflicting claims to the ownership of the Coalbed Methane Gas produced by the Unit Operator from wells located on Subject Drilling Unit, and (2) while it **does not** have jurisdiction to interpret agreements by and between the Gas owners/claimants and/or the Unit Operators or to abridge or contravene the provisions of such agreements, (3) pursuant to Va. Code § 45.1-361.22.A.5, **the Board does have jurisdiction and authority to disburse funds from the Escrow Account** provided the Board has been provided with a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between the conflicting claimants or an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein.

4. **Prior Proceedings:**

- 4.1. (a) On December 18, 2001, the Board executed its order pooling interests in the Subject Drilling Unit for the production of occluded natural gas produced from coalbeds and rock strata associated therewith (herein "Gas") in accordance with the provisions of Va. Code SS 45.1-361.21 and 45.1-361.22 (herein "Pooling Order"). The Pooling Order was filed with the Clerk of the Circuit Court of Buchanan County on January 11, 2002 in Deed Book 537 at Page 705. On June 24, 2002 the Board executed its Supplemental Order Regarding Elections which was filed with the Clerk of the Court of Buchanan County on July 8, 2002 in Deed Book 550 at Page 68, Instrument 020002606 (hereafter all orders are collectively referred to as the "Pooling Orders").
- 4.2 To the extent claims to the Gas were in conflict, pursuant to Va. Code S 45.1-361-22 payments attributable to said conflicting claims were ordered deposited by the Unit Operator into the escrow account established by the Pooling Orders (herein "Escrow Account"). According to the Pooling Orders and testimony, the coal estate ownership interests of Torch Operating Company and the gas ownership interests of certain Catherine Hylton Heirs Tract 1 plus the coal estate ownership interests of Coal Mountain Mining Company and the gas ownership interests of certain G.W. Sisk Heirs in Tract 4 in the Subject Drilling Unit were in conflict and became subject to the escrow requirements of the Pooling Order.
- 4.3 The Unit Operator's Miscellaneous Petition regarding a portion of tracts 1 and 4, a copy of which is attached to and made a part hereof, states under oath that Torch Operating Company in Tract 1 plus Coal Mountain Mining Company in Tract 4 and the Applicants have entered into an agreement with regards to a portion of Tracts 1 and 4, respectively, and that by the terms of the agreements, Torch Operating Company and the Heirs of Catherine Hylton Heirs plus Coal Mountain Mining Company and the heirs of G.W. Sisk have entered into a split agreement regarding these tracts and escrow regarding these individual conflicting claims detailed herein, is no longer required for these parties.
- 4.4 The Unit Operator gave notice to Torch Operating Company and Coal Mountain Mining Company and the applicants that the Board would consider its disbursement authorization at its hearing on March 16, 2010 and consider whether to: (1) amend the Pooling Order to provide for the disbursement a portion of funds on deposit in the Escrow Account attributable to a portion of tracts 1 and 4 identified in the attached miscellaneous petition (2) delete the requirement that the Unit Operator place future royalties attributable to a portion of said Tracts 1 and 4, the interests of Applicants identified in the miscellaneous petition in the Escrow Account, and (3) continue the escrow account under this docket number because there are other parties under this order subject to continued payments in the escrow.
- 4.5 The Unit Operator filed the attached accounting for Subject Drilling Unit's Escrow Account with the Board ("Accounting").

5. **Findings:**

5.1. Va. Code 45.1-361.22.5 provides:

The Board shall order payment of principal and accrued interests, less escrow account fees, from the escrow account to conflicting claimants within thirty days of receipt of notification of (i) a final decision of a court of competent jurisdiction adjudicating the ownership of coalbed methane gas as between them or (ii) an agreement among all claimants owning conflicting estates in the tracts in question or any undivided interest therein. The amount to be paid to the conflicting claimants shall be determined based on the percentage of ownership interest of the conflicting claimants as shown in the operator's supplemental filing made part of the pooling order that established the escrow account, the operator's records of deposits attributable to those tracts for which funds are being requested, and the records of the escrow account for the coalbed methane gas drilling unit. The interests of any cotenants who have not entered into an agreement shall remain in the escrow account.

5.2 Applicant has certified and represented to the Board that:

- (1) Torch Operating Company and Heirs of Catherine Hylton Heirs are the owners of the coal and gas acreage estate underlying a portion of Tract 1 plus Coal Mountain Mining Company and Heirs of G.W. Sisk are owners of the coal and gas acreage estate underlying a portion of Tract 4 of the Subject Drilling Unit;
- (2) Net interests attributable and to be disbursed to Applicants are shown in Table 1,

VGOB Approved Disbursement
VGOB-01-0918-0921-01 Disbursement
DD-28 (Includes Wells DD-28 and DD-28A)

Balance at October 31, 2009 ----->

			Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
		Table 1					
		Disbursement Table					
Item	Tract	A portion of Tracts 1 and 4					
No							
		Totals				35.053750	
Torch Operating Company - (CBM Owner - Coal Claim)			12.92				
1	1	Torch Operating Company / Sue Ann Craddock / 670 Dona Ana Rd SW/ Deming, New Mexico 88030		8.8580	50.0%	4.429	12.6349%
2	1	Wesley Rufus Smith / 620 Jewell Ridge Rd. / Richlands, VA 24641	1/56	0.2307	50.0%	0.1154	0.3291%
3	1	Katherine Richardson / PO Box 117 / Jewell Ridge, VA 24622	1/56	0.2307	50.0%	0.1154	0.3291%
4	1	Ann S. Shreve / 1701 Smith Ridge Rd. / Jewell Ridge, VA 24622	1/56	0.2307	50.0%	0.1154	0.3291%
5	1	Bonnie Ager / 320 Mitchell Rd. / Kingsport, TN 37663	1/56	0.2307	50.0%	0.1154	0.3291%
6	1	Edith Mullins / 2509 Isobella Drive / Fort Pierce, FL 34981	1/56	0.2307	50.0%	0.1154	0.3291%
7	1	Roy Lee Smith / 108 Wrenway / Anderson, SC 29625	1/56	0.2307	50.0%	0.1154	0.3291%
8	1	Princess Casey / 506 North Street / Richlands, VA 24641	1/56	0.2307	50.0%	0.1154	0.3291%
9	1	Patrick Hamrick / 102 Arabian Way / Simpsonville, SC 29681	1/16	0.8075	50.0%	0.4038	1.1518%
10	1	Claudia Hamrick / 421 East Chester Drive / Ellettsville, IN 47429	1/16	0.8075	50.0%	0.4038	1.1518%
11	1	Nora B. Church / 801 Wilson Road / Oliver Springs, TN 37840	1/8	1.6150	50.0%	0.8075	2.3036%
12	1	Isaac W. & Sara Hylton / 1017 Bluebill Drive / Concord, NC 28027	1/48	0.2692	50.0%	0.1346	0.3839%
13	1	Michael J. & Rhonda Hylton / 56 West Bank Street GQ / Salisbury, NC 28144	1/48	0.2692	50.0%	0.1346	0.3839%
14	1	Raymond L. & Linda Hylton / PO Box 1615 / Chelesa, AL 35040	1/48	0.2692	50.0%	0.1346	0.3839%
15	1	Cynthia D. & Roger Wampler / PO Box 1502 / Sophia, WV 25921	1/48	0.2692	50.0%	0.1346	0.3839%
16	1	Patton C. & Mary Hylton / 306 Summit Drive / Beckley, WV 25801	1/48	0.2692	50.0%	0.1346	0.3839%
17	1	Margaret A. & James Byrge / PO Box 87 / Sophia, WV 25921	1/48	0.2692	50.0%	0.1346	0.3839%
18	1	Janie Sisk / 189 8th Street NW / Barberton, OH 44203	1/88	0.1468	50.0%	0.0734	0.2094%
19	1	William M. & Letty Hylton / 5040 Lynn Drive / West Columbia, SC 29170	1/88	0.1468	50.0%	0.0734	0.2094%
20	1	Faye H. & Dr. Robert Abernathy / 12150 Ridge Rowe / Kings George, VA 22485-4591	1/88	0.1468	50.0%	0.0734	0.2094%
21	1	Larry R. & Mary L Hylton / 507 Jay Street / Ashland, OH 44805	1/88	0.1468	50.0%	0.0734	0.2094%
22	1	Charles W. & Virginia Hylton / 1054 Lynn Drive / West Columbia, SC 29170	1/88	0.1468	50.0%	0.0734	0.2094%
23	1	Frazier B. & Mary Hylton / PO Box 54 / Lexington, SC 29072	1/88	0.1468	50.0%	0.0734	0.2094%
24	1	Peggy L. & Kenneth B. Dixon / 1006 Hardy Place / Wilmington, NC 28405	1/88	0.1468	50.0%	0.0734	0.2094%
25	1	John P. Hylton / 440 Emerson, Ave NW / North Canton, OH 44720	1/88	0.1468	50.0%	0.0734	0.2094%
26	1	James F. Hylton / 111 dyer Branch Road / Gordonsville, TN 38563	1/88	0.1468	50.0%	0.0734	0.2094%
27	1	Burnice Glenn Bucklin / 2022 Schuster Road / Jerritsville, MD 21084	1/240	0.0538	50.0%	0.0269	0.0768%
28	1	Curtis Randall Bucklin / 6807 Jerome Street / Springfield, VA 22150	1/240	0.0538	50.0%	0.0269	0.0768%
29	1	Robert William Bucklin / 1004 Vicksburg Lane / Huntsville, AL 35803	1/240	0.0538	50.0%	0.0269	0.0768%
30	1	Phyllis Ann Bucklin Davis / 211 Bibb Avenue / Beckley WV 25801	1/240	0.0538	50.0%	0.0269	0.0768%
31	1	Thomas Lynn Bucklin / 195 Deep Meadow Drive / Fishersville, VA 22939	1/240	0.0538	50.0%	0.0269	0.0768%
32	1	Atholine Payne / 155 Madison Drive / Newark, DE 19711	1/40	0.3230	50.0%	0.1615	0.4607%
33	1	Betty Christian / PO Box 571 / Glen White, WV 25849	1/40	0.3230	50.0%	0.1615	0.4607%
34	1	Betty P. & Jack Goolsby / 4009 Orchard Avenue / Beckley, WV 25801	1/160	0.0808	50.0%	0.0404	0.1152%
35	1	Donald C. & Shirley Walker / 623 Old Grandview Rd. / Beaver, WV 25813	1/160	0.0808	50.0%	0.0404	0.1152%

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			Frac Interest	Acreage Interest Disbursed	Split Agreement	Escrowed Acres Total	% of Escrowed Funds
Table 1							
Disbursement Table							
Item	Tract	A portion of Tracts 1 and 4					
No		Totals				35.053750	
Coal Mountain Mining Co. - Coal			25.010000				
1	4	Coal Mountain Mining / PO Box 675 / Tazewell VA 24651		18.5010	50.0%	9.250	26.3895%
2	4	Ralph & Grace Ann Keen / 200 Summit Avenue / Lebanon VA 24266	3/32	2.34469	50.0%	1.1723	3.3444%
3	4	Elizabeth Ann Justice (Ann McCowan) / PO Box 677 / Rosedale VA 24280	3/32	2.34469	50.0%	1.1723	3.3444%
4	4	Arnold J. & Wilda Ann Keene / 962 Ascue Road / Cedar Bluff VA 24609	3/32	2.34469	50.0%	1.1723	3.3444%
5	4	Anna Ruth & J. C. Lambert / Rt 4 Box 597 / North Tazewell VA 24639	3/32	2.34469	50.0%	1.1723	3.3444%
6	4	Billy Ray Hale / PO Box 311 / Honaker VA 24260	1/32	0.78156	50.0%	0.3908	1.1148%
7	4	Linda K. Matney / Box 738 / Pounding Mill VA 24637	1/32	0.78156	50.0%	0.3908	1.1148%
8	4	Brenda Weddie / PO Box 185 / Cedar Bluff VA 24609	1/32	0.78156	50.0%	0.3908	1.1148%
9	4	Carl Lee Hale / PO Box 330 / Pounding Mill VA 24637	1/32	0.78156	50.0%	0.3908	1.1148%
10	4	Ocie & Ted P. Davis / 427 Kents Ridge Road / Richlands VA 24641	1/24	1.04208	50.0%	0.5210	1.4864%
11	4	Louisa Shortt (Dorothy P. Shortt) / 391 Wheaton Road / Hampton VA 23666	1/3024	0.00827	50.0%	0.0041	0.0118%
12	4	David E. Short / 110 Daphne Drive / Grafton, VA 23692	1/432	0.05789	50.0%	0.0289	0.0826%
13	4	Helen Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
14	4	Larry Junior Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
15	4	Lacy Dwayne Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
16	4	Eva Loretta Hubbard / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
17	4	Terry Lee Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
18	4	Earnest Brady Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
19	4	Rondal Damon Rose / PO Box 242 Doran VA 24612	1/1944	Not disbursed - lacking W9 Form			
20	4	Julie Lenora Ann Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
21	4	Shawn Kelly Rose / PO Box 242 / Doran, VA 24612	1/1944	0.01287	50.0%	0.0064	0.0184%
22	4	Shelia Janowski / 13208 28 Mile Road / Washington MI 48094	1/3024	Not disbursed - lacking W9 Form			
23	4	Diana Shephard / 2246 Thistleowne Drive, NE / Grand Rapids, MI 49505	1/432	0.05789	50.0%	0.0289	0.0826%
24	4	Elmer Burke / 1759 Riverside Dr. / Raven, VA 24639	1/864	0.02895	50.0%	0.0145	0.0413%
25	4	James H. Burke / PO Box 880 / Raven, VA 24639	1/864	0.02895	50.0%	0.0145	0.0413%
26	4	Inis Mae Short / PO Box 438 / Cedar Bluff, VA 24609	1/864	0.02895	50.0%	0.0145	0.0413%
27	4	Anita Rose Cantrell / 7342 Pine Street / Radford, VA 24641	1/864	0.02895	50.0%	0.0145	0.0413%
28	4	Jerry Wayne Rose / 331 Litz Lane / Tazewell, VA 24651 (1/756 acres)	1/756	0.03308	50.0%	0.0165	0.0472%
29	4	Jerry Wayne Rose / 331 Litz Lane / Tazewell, VA 24651 (1/4536 acres inherited)	1/4536	0.00551	50.0%	0.0028	0.0079%
30	4	Shannon McGraw / 2013 Brandy Rd. / Cedar Bluff, VA 24609	1/9072	Not disbursed - lacking W9 Form			
31	4	Frances Kate Short / 3741 Baptist Valley Road / Cedar Bluff VA 24609	1/9072	Not disbursed - lacking W9 Form			
32	4	Charlie Buford Rose / 2080 Cambrian Drive / Flint, MI 48504	1/216	0.11579	50.0%	0.0579	0.1652%
33	4	Robert W. Rose / 1008 Short Road / Raven, VA 24639	1/216	0.11579	50.0%	0.0579	0.1652%
34	4	Frances A. Webb / 855 Stone Rd. / Jewell Ridge, VA 24622	1/216	0.11579	50.0%	0.0579	0.1652%
35	4	Howard O. Rose / 43 S. Farmer Street / Richlands, VA 24641	1/216	0.11579	50.0%	0.0579	0.1652%
36	4	Eugene J. Sisk / 4415 Pine Creek / Swords Creek, VA 24649	1/120	0.20842	50.0%	0.1042	0.2973%
37	4	Ray Leon Sisk / 4417 Pine Creek Rd. / Swords Creek, VA 24649	1/120	0.20842	50.0%	0.1042	0.2973%
38	4	Linda D. Deskins / 208 Whites Subdivision Rd. / Cedar Bluff, VA 24609	1/120	0.20842	50.0%	0.1042	0.2973%
39	4	Margaret Gillespie / PO Box 123 / Raven, VA 24639	1/120	0.20842	50.0%	0.1042	0.2973%
40	4	Harriet Nicewander / PO Box 458 / Richlands, VA 24641	1/120	0.20842	50.0%	0.1042	0.2973%
41	4	Thelma Arbogast / Rt 2 Box 284 / Elkins, WV 26241	1/288	0.08684	50.0%	0.0434	0.1239%
42	4	Vilven Nelson / 439 Indian Creek Road / Cedar Bluff, VA 24609	1/288	0.08684	50.0%	0.0434	0.1239%
43	4	Ilean Shinall / 401 Purcell Road / Richlands, VA 24641	1/288	0.08684	50.0%	0.0434	0.1239%
44	4	Fred Sisk / 215 Bethany Drive / Jonesborough, TN 37659	1/288	0.08684	50.0%	0.0434	0.1239%
45	4	Otis William Sisk / 4965 Old Belwus Creek Road / Winston Salem, NC 27101	1/288	0.08684	50.0%	0.0434	0.1239%
46	4	Brady Sisk / Box 569 / Keen Mountain, VA 24624	1/288	0.08684	50.0%	0.0434	0.1239%
47	4	Joyce Sisk / 201 Carolina Avenue / Richlands, VA 24641	1/288	0.08684	50.0%	0.0434	0.1239%
48	4	Bernard Sisk / 1464 Seven Mile Br. Rd. / Raven, VA 24639	1/288	0.08684	50.0%	0.0434	0.1239%
49	4	Mae Endicott / 201 Carolina Ave. / Richlands, VA 24641	1/288	0.08684	50.0%	0.0434	0.1239%
50	4	Kenneth Ray Sisk / Box 544 / Oakwood, VA 24631	1/288	0.08684	50.0%	0.0434	0.1239%
51	4	Jenny Sisk / PO Box 535 / Keen Mountain, VA 24624	1/288	0.08684	50.0%	0.0434	0.1239%
52	4	Ira Junior Sisk / PO Box 492 / Oakwood, VA 24631	1/288	0.08684	50.0%	0.0434	0.1239%
53	4	Goldie V Rose / 1168 Floating Rd. / Raven VA 24639	5/84	Not disbursed - lacking W9 Form			
54	4	Janie Sisk / 189 8th Street NW / Barborton, OH 44203	1/84	0.29774	50.0%	0.1489	0.4247%
55	4	Linda Hale / 189 8th Street NW / Barborton, OH 44203	1/1008	Not disbursed - lacking W9 Form			
56	4	Brenda Sisk / PO Box 1755 / Grundy Va 24614	1/1008	Not disbursed - lacking W9 Form			
57	4	Jennifer & Lovelle Friend / 189 8th Street NW / Barborton, OH 44203	1/1008	0.02481	50.0%	0.0124	0.0354%
58	4	Charlene Thompson / 189 8th Street NW / Barborton, OH 44203	1/1008	Not disbursed - lacking W9 Form			
59	4	Keith Sisk / 189 8th Street NW / Barborton, OH 44203	1/1008	Not disbursed - lacking W9 Form			
60	4	Charles Kim Sisk / 189 8th Street NW / Barborton, OH 44203	1/1008	Not disbursed - lacking W9 Form			
61	4	Ricky B. Rose / PO Box 995 / Raven Va 24639	3/896	Not disbursed - lacking W9 Form			
62	4	David Keith Rose / 1825 Flat Hollow Rd. / Pearisburg, VA 24134	3/896	0.08374	50.0%	0.0419	0.1194%
63	4	Larry Allen Rose / PO Box 425 / Pounding Mill, VA 24637	3/896	0.08374	50.0%	0.0419	0.1194%
64	4	Patricia Ann Osborne / 878 Pardee Street / Johnson City, TN 37601	3/896	0.08374	50.0%	0.0419	0.1194%
65	4	Virgil Rose / 460 Pond Street / Pounding Mill VA 24637	3/224	Not disbursed - lacking W9 Form			
66	4	Olbert Rose / c/o Mary F. Rose / HC66 Box 19 / Richlands, VA 24641	3/224	0.33496	50.0%	0.1675	0.4778%
67	4	Opal & Frank Tackett / PO Box 777 / Raven, VA 24639	3/224	0.33496	50.0%	0.1675	0.4778%
68	4	Alma & Roger McNulty / 431 McNulty Rd. / Cedar Bluff, VA 24609	3/224	0.33496	50.0%	0.1675	0.4778%
69	4	Marie P. & Bobby E. Johnson / 105 Brentwood Rd. / Raven, VA 24639	3/224	0.33496	50.0%	0.1675	0.4778%
70	4	Darrell W. Rose / 1168 Floating Rd. / Raven VA 24639	3/224	Not disbursed - lacking W9 Form			
71	4	Nancy Rose / 427 Kents Ridge Road / Richlands, VA 24641	1/224	0.11165	50.0%	0.0558	0.1593%

6. **Relief Granted:**

For the reasons set forth in Paragraph 4 and 5 above, and based upon the Accounting and Table 1 above, the Escrow Agent is ordered to, within 10 days of receipt of this executed order to disburse funds for the unit and applicants detailed in Table 1 above.

Exhibit E to the Pooling Order, showing owners subject to escrow, is deleted and replaced with the Exhibit E attached to this order. Further, the Supplemental Order filed in this cause is hereby modified to delete the requirement that payments attributable to the conflicting coalbed methane gas ownership interests of those applicants indicated in Table 1 be deposited by the Unit Operator into the Escrow Account, and, because there are other owners subject to escrow under the Supplemental Order, the Escrow Agent is directed to continue the Escrow Account for Subject Drilling Unit. To the extent not specifically granted herein, any other or further relief is denied.

7. **Conclusion:**

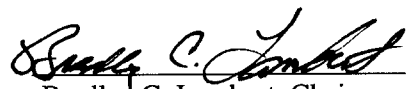
Therefore, the requested relief and all terms and provisions set forth above in Paragraph 6 above be and hereby are granted and **IT IS SO ORDERED.**

8. **Appeals:**

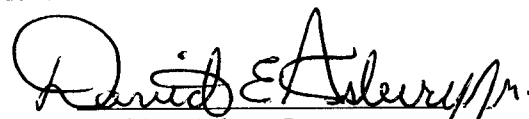
Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

9. **Effective Date:** This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 24 day of May, 2010 by a majority of the Virginia Gas and Oil Board.


Bradley C. Lambert, Chairman

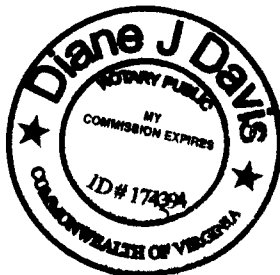
DONE AND PERFORMED this 24 day of May, 2010 by an Order of this Board.

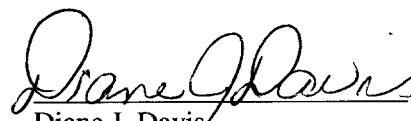

David E. Asbury Jr.,
Principal Executive to the Staff
Virginia Gas and Oil Board

**COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL**

Acknowledged on this 24th day of May, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared **Bradley C. Lambert**, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and **David E. Asbury Jr.**, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

My commission expires: 09 / 30 / 2013




Diane J. Davis
Notary Public #174394

BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC

**DIVISION OF GAS AND OIL
DOCKET NO: VGOB 01-0918-0921-01**

**RELIEF SOUGHT: (1) DISBURSEMENT FROM
ESCROW REGARDING A PORTION OF TRACT(S) 1 and 4
(2) AND AUTHORIZATION FOR DIRECT
PAYMENT OF ROYALTIES**

HEARING DATE: March 16, 2010

DRILLING UNIT: DD-28

BUCHANAN COUNTY, VIRGINIA

AMENDED MISCELLANEOUS PETITION

1. **Petitioner and its counsel:** Petitioner is **CNX Gas Company LLC**, 2481 John Nash Boulevard, Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, **SWARTZ LAW OFFICES, PLLC.**, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.

2. **Relief sought:** (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to a portion of Tract(s) 1 and 4 as depicted upon the annexed Exhibit A; and (2) authorization to begin paying royalties directly to the parties to the royalty split between Torch Operating Company and Catherine Hilton Heirs including Wesley Rufus Smith, Katherine Richardson, Ann S. Shreve, Bonnie Ager, Edith Mullins, Roy Lee Smith, Princess Casey, Patrick Hamrick, Nora B. Church, Isaac W. & Sarah Hylton, Michael J. & Rhonda Hylton, Raymond L & Linda Hylton, Cynthia D. & Roger Wampler, Patton C. & Mary Hylton, Margaret A. & James Byrge, Janie Sisk, William M. & Letty Hylton, Faye H. & Dr. Robert Abernathy, Larry R. & Mary L. Hylton, Charles W. & Virginia Hylton, Frazier B. & Mary Hylton, Peggy L. & Kenneth B. Dixon, John P. Hylton, James F. Hylton, Bernice Glenn Bucklin, Curtis Randall Bucklin, Robert William Bucklin, Phyllis Ann Davis, Thomas Lynn Bucklin, Atholine Payne, Betty Christian, Betty P. & Jack Goolsby, Donald C. & Shirley Walker; Coal Mountain Mining Company Limited Partnership and G.W. Sisk Heirs including Ralph & Grace Ann Keen, Elizabeth Ann Justice (Ann McCowan), Arnold J. & Wilda Ann Keene, Anna Ruth & J.C. Lambert, Billy Ray Hale, Linda K. Matney, Brenda Weddle, Carl Lee Hale, Maria Sisk Heirs, Ocie & Ted P. Davis, Dorothy P. Shortt (Louisa Shortt), David E. Shortt, Helen Rose, Larry Junior Rose, Lacy Dwayne Rose, Eva Loretta Hubbard, Terry Lee Rose, Earnest Brady Rose, Julie Lenora Ann Rose, Shawn Kelly Rose, Diana Shephard, Elmer Burke, James H. Burke, Inis Mae Short, Anita Rose Cantrell, Jerry Wayne Rose, Charlie Buford Rose, Robert W. Rose, Frances A. Webb, Howard O. Rose, Eugene J. Sisk, Ray Leon Sisk, Linda D. Deskins, Margaret Gillespie, Harriet Nicewander, Thelma Arbogast, Vilven Nelson, Ilean Shinall, Fred Sisk, Otis William Sisk, Brady Sisk, Joyce Sisk, Bernard Sisk, Mae Endicott, Kenneth Ray Sisk, Carl Sisk, Ira Junior Sisk, Janie Sisk, Jennifer & Lovelle Friend, David Keith Rose, Larry Allen Rose, Patricia Ann Osborne, Olbert Rose, Opal & Frank Tackett, Alma & Roger McNulty, Maria P. & Bobby E. Johnson, and Nancy Rose

3. **Legal Authority:** Va. Code Ann. § 45.1-361.1 et seq., 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.

4. **Type of well(s):** Coalbed methane.

5. **Factual basis for relief requested:** Torch Operating Company and Catherine Hilton Heirs including Wesley Rufus Smith, Katherine Richardson, Ann S. Shreve, Bonnie Ager, Edith Mullins, Roy Lee Smith, Princess Casey, Patrick Hamrick, Nora B. Church, Isaac W. & Sarah Hylton, Michael J. & Rhonda Hylton, Raymond L & Linda Hylton, Cynthia D. & Roger Wampler, Patton C. & Mary Hylton, Margaret A. & James Byrge, Janie Sisk, William M. & Letty Hylton, Faye H. & Dr. Robert Abernathy, Larry R. & Mary L. Hylton, Charles W. & Virginia Hylton, Frazier B. & Mary Hylton, Peggy L. & Kenneth B. Dixon, John P. Hylton, James F. Hylton, Bernice Glenn Bucklin, Curtis Randall Bucklin, Robert William Bucklin, Phyllis Ann Davis, Thomas Lynn Bucklin, Atholine Payne, Betty Christian, Betty P. & Jack Goolsby, Donald C. & Shirley Walker; Coal Mountain Mining Company Limited Partnership and G.W. Sisk Heirs including Ralph & Grace Ann Keen, Elizabeth Ann Justice (Ann McCowan), Arnold J. & Wilda Ann Keene, Anna Ruth & J.C. Lambert, Billy Ray Hale, Linda K. Matney, Brenda Weddle, Carl Lee Hale, Maria Sisk Heirs, Ocie & Ted P. Davis, Dorothy P. Shortt (Louisa Shortt), David E. Shortt, Helen Rose, Larry Junior Rose, Lacy Dwayne Rose, Eva Loretta Hubbard, Terry Lee Rose, Earnest Brady Rose, Julie Lenora Ann Rose, Shawn Kelly Rose, Diana Shephard, Elmer Burke, James H. Burke, Inis Mae Short, Anita Rose Cantrell, Jerry Wayne Rose, Charlie Buford Rose, Robert W. Rose, Frances A. Webb, Howard O. Rose,

Eugene J. Sisk, Ray Leon Sisk, Linda D. Deskins, Margaret Gillespie, Harriet Nicewander, Thelma Arbogast, Vilven Nelson, Ilean Shinall, Fred Sisk, Otis William Sisk, Brady Sisk, Joyce Sisk, Bernard Sisk, Mae Endicott, Kenneth Ray Sisk, Carl Sisk, Ira Junior Sisk, Janie Sisk, Jennifer & Lovelle Friend, David Keith Rose, Larry Allen Rose, Patricia Ann Osborne, Olbert Rose, Opal & Frank Tackett, Alma & Roger McNulty, Maria P. & Bobby E. Johnson, and Nancy Rose have entered into royalty split agreement(s). Said royalty split agreement allows the Applicant and Designated Operator to pay royalties directly to the persons identified in Exhibit EE annexed hereto and the annexed Exhibit A, further, specifies how said royalties are to be divided and paid.

6. **Attestation:** The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC
BY ITS PROFESSIONAL MANAGER
CNX GAS COMPANY LLC PETITIONER

By: _____

Anita D. Duty

Pooling Supervisor

CNX Land Resources, Inc.

2481 John Nash Blvd.

Bluefield, West Virginia 24701

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS
PROVIDED BY CONSOL Inc. AND WERE NOT SURVEYED.

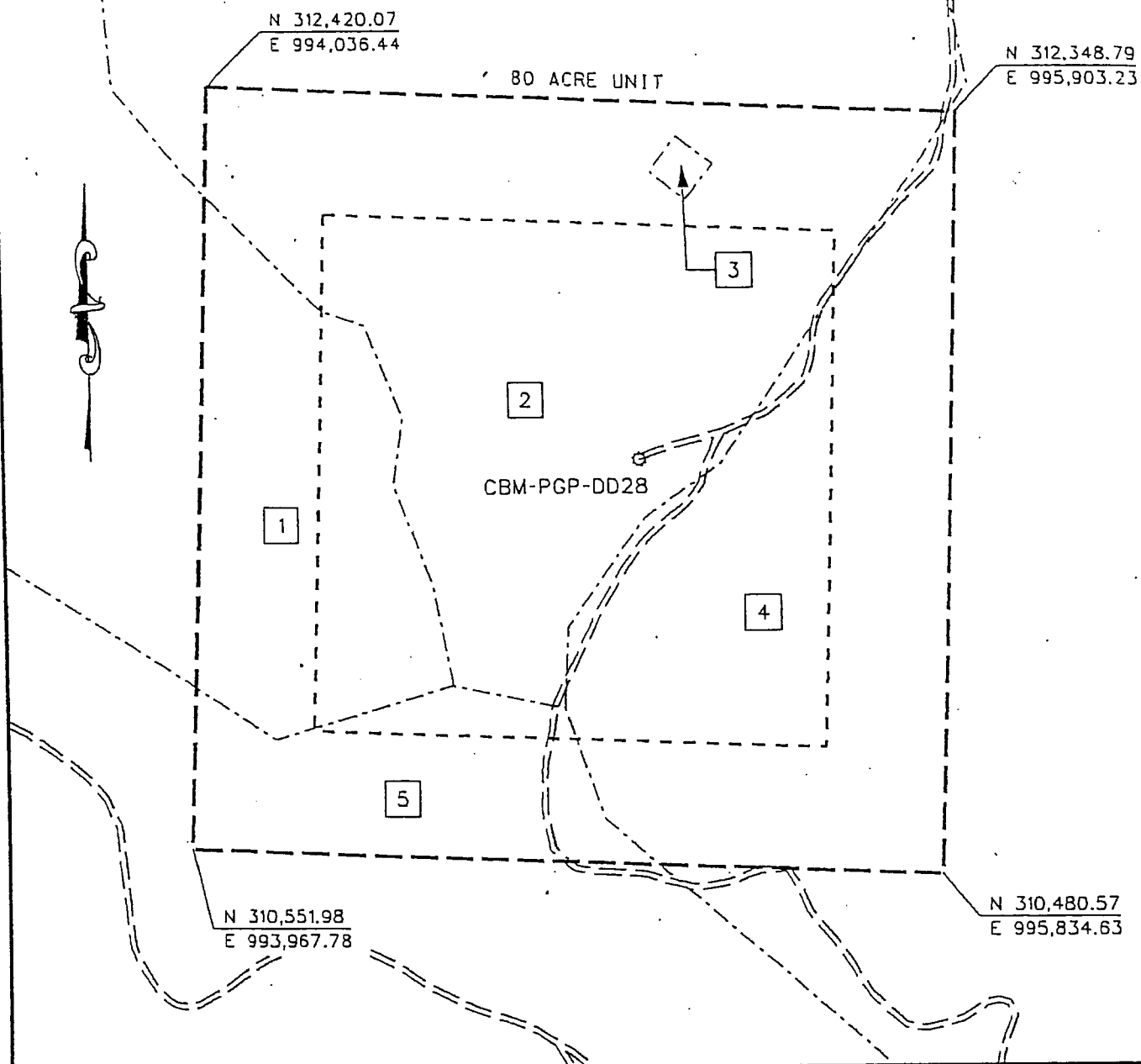


EXHIBIT A
OAKWOOD FIELD UNIT DD-28
FORCE POOLING
VGCB-01-0918-0921

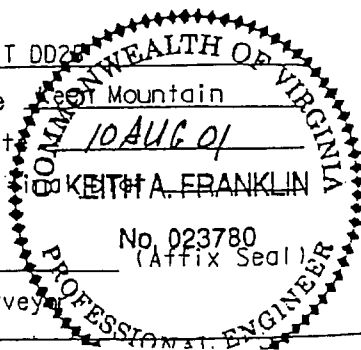
Company Pocahontas Gas Partnership Well Name and Number UNIT DD28
Tract No. _____ Elevation _____ Quadrangle East Mountain
County Buchanan District Hurricane Scale: 1" = 400' Date 10 AUG 01
This plat is a new plat X ; an updated plat _____ ; or a revised plat _____

Form DGO-GO-7
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

Keith A. Franklin

No. 023780
(Affix Seal)



POCAHONTAS GAS PARTNERSHIP

UNIT DD-28 Tract Identifications

1. Hugh MacRae Land Trust - TR 20 - Coal
Coal Lessees
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Catherine Hylton Heirs, Devisees, Successors or Assigns - Surface, Gas
12.92 acres 16.1500%
2. Hugh MacRae Land Trust - TR 20 - Coal
Coal Lessees
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Hugh MacRae Land Trust - TR 20 - Surface, Oil & Gas
33.44 acres 41.8000%
3. Hugh MacRae Land Trust - TR 20 - Coal
Coal Lessees
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
Ellis Family Cemetery - Surface, Oil & Gas
0.25 acres 0.3125%
4. Coal Mountain Mining - TR 1 - Coal
Coal Lessees
Consolidation Coal Company
Pocahontas Gas Partnership - CBM Lessee
Pocahontas Gas Partnership - Oil & Gas Lessee
G. J. Sisk Heirs, Devisees, Successors or Assigns, et al. - Surface, Oil & Gas
25.01 acres 31.2625%
5. J. S. & A.P. Gillespie Estates Corporation, et al. - Fee
Coal Lessees
Consolidation Coal Company
8.38 acres 10.4750%

Exhibit E
Unit DD-28
Docket #VGOB 01-0918-0921-01
List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<u>Tract #1 - 12.92 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Hugh Macrae Land Trust, Tr. 20 P. O. Box 29 Tazewell, VA 24651	12.92 acres	16.15000%
(2) Torch Oil & Gas Company (CBM Royalty Owner) c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) Catherine Hylton Heirs, Devisees Successors or Assigns	12.92 acres	16.15000%
(d) Theodore (Ted) Hylton Heirs, Devisees, Successors or Assigns		
(d.1) Faith Holding 884 Gelston Place El Cerrita, CA 94530	1.62 1/8 of 12.92 acres	2.01875%
(e) Naomi Ethel Hylton Heirs (1/8)		
(e.1) Ervin R. Meadows Box 155 Jewell Ridge, VA 24622	0.40 1/32 of 12.92 acres	0.50469%
(e.2) Leroy Jennelle Box 155 Jewell Ridge, VA 24622	0.40 1/32 of 12.92 acres	0.50469%
(e.3) Margaret A. & Burton Vandyke P.O. Box 274 Doran, VA 24612	0.40 1/32 of 12.92 acres	0.50469%
(e.4) Chapman E. & Fannie Jennelle Box 98 Jewell Ridge, VA 24622	Life Estate	
(e.5) Deland E. & Patricia Jennelle Rt.1 Box 169B Pounding Mill, VA 24637	0.40 1/32 of 12.92 acres	0.50469%
(g) Laura Elizabeth Hylton (Pat Hylton - 1/8)		
(g.6) Roby A. Hylton 2514 Mayfair Road Akron, OH 44312	0.15 1/88 of 12.92 acres	0.18352%
(g.10) Cleo E. & Ted Moreland 771 Pirate Rest Road North Fort Myers, FL 33917-2978	0.15 1/88 of 12.92 acres	0.18352%
(h) Artie Hylton Heirs (1/8)		

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	Net Acres in Unit	Interest in Unit
(h.1) Hazel B. Bucklin Heirs, Devisees, Successors or Assigns		
(h.1.5) Carol Sue Mullins 539 Grandview Road Daniels, WV 25832	0.053833 1/240 of 12.92 acres	0.06729%
(h.4) Clarence E. Christian Heirs, Devisees Successors or Assigns		
(h.4.1) Anna Christian Address Unknown	0.107667 1/120 of 12.92 acres	0.13458%
(h.4.2) Teresa R. Young 1007 Laura Lee Court Bear, DE 19701-1341	0.035889 1/360 of 12.92 acres	0.04486%
(h.4.3) Clarence E. Christian, Jr. 322 West Kansas Ave. Madison Lodge, KS 67104	0.035889 1/360 of 12.92 acres	0.04486%
(h.4.4) Thomas C. Christian 2 Balis Street Hampton Green 2 New Castle, DE 19720	0.035889 1/360 of 12.92 acres	0.04486%
(h.4.5) Katherine Wheeler 2610 Ask Kirk Drive Newark, DE 19702	0.035889 1/360 of 12.92 acres	0.04486%
(h.4.6) Christopher L. Christian 55 Montrose Drive Newark, DE 19713	0.035889 1/360 of 12.92 acres	0.04486%
(h.4.7) David Allen Christian 55 Montrose Drive Newark, DE 19713	0.035889 1/360 of 12.92 acres	0.04486%
(h.5) Juanita Hylton Walker Heirs		
(h.5.3) David K. & Twila Walker P.O. Box 959 Crab Orchard, WV 25827	0.08 1/160 of 12.92 acres	0.10094%
(h.5.4) Diana Y. & Ernest Calfee, Jr. 981 Blue Jay #6 Cool Ridge, WV 25825	0.08 1/160 of 12.92 acres	0.10094%

Tract #3 - 0.25 acres

COAL OWNERSHIP

(1)	Hugh Macrae Land Trust, Tr. 20 P. O. Box 29 Tazewell, VA 24651	0.25 acres	0.31250%
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	Net Acres in Unit	Interest in Unit
(2) Torch Oil & Gas Company (CBM Royalty Owner) c/o Sue Ann Craddock 670 Dona Ana Road SW Deming, New Mexico 88030		
<u>OIL & GAS OWNERSHIP</u>		
(1) Ellis Family Cemetery Address Unknown	0.25 acres	0.31250%
<u>Tract #4 - 25.01 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Coal Mountain Mining Company, Tr.1 Limited Partnership P.O. Box 675 Tazewell, VA 24651	25.01 acres	31.26250%
<u>OIL & GAS OWNERSHIP</u>		
Green J. Sisk Heirs, Devisees, Successors or Assigns, et al. (aka Green W. Sisk et al)	25.01 acres	31.26250%
(2) J.H. Sisk Heirs, Devisees, Successors or Assigns		
(c) Pearlie & John Rose Heirs, Devisees, Successors or Assigns		
(c.1) Earl Shortt Heirs, Devisees, Successors or Assigns		
(c.1.2) (Dorothy P. Shortt) Louisa Shortt , wid 391 Whealton Road Hampton, VA 23666	0.04962 1/504 of 25.01 acres	0.06203%
(c.3) Georgia Bann Heirs, Devisees, Successors or Assigns		
(c.3.1) Sheila Janowski 13208 28 Mile Road Washington, MI 48094	0.04962 1/504 of 25.01 acres	0.06203%
(c.5) Jennings Rose Heirs, Devisees, Successors or Assigns		
(c.5.1) Mabel C. Rose Heirs, Devisees, Successors or Assigns		
(c.5.1.1) Patricia Anne Harman 851 Scotts Creek Rd. Statesville, NC 28625	0.03308 1/756 of 25.01 acres	0.04135%

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	Net Acres in Unit	Interest in Unit
(c.5.1.3) Shannon McGraw 2013 Brandy Rd. Cedar Bluff, VA 24609	0.01654 1/1512 of 25.01 acres	0.02068%
(c.5.1.4) Frances Kate Short 3741 Baptist Valley Road Cedar Bluff, VA 24609	0.01654 1/1512 of 25.01 acres	0.02068%
(g) Charlie Sisk Heirs, Devisees, Successors or Assigns		
(g.2) Linda & Billy Joe Hale 189 8th Street NW Barberton, OH 44203	0.09925 1/252 of 25.01 acres	0.12406%
(g.3) Brenda Sisk P.O. Box 1755 Grundy, VA 24614	0.09925 1/252 of 25.01 acres	0.12406%
(g.4) Jannifer J. Friend 7589 N. 7th Ave. Clinton, OH 44216	0.09925 1/252 of 25.01 acres	0.12406%
(g.5) Charlene Thompson 189 8th Street NW Barberton, OH 44203	0.09925 1/252 of 25.01 acres	0.12406%
(g.6) Keith & Yvonne Sisk 189 8th Street NW Barberton, OH 44203	0.09925 1/252 of 25.01 acres	0.12406%
(g.7) Charles Kim Sisk 189 8th Street NW Barberton, OH 44203	0.09925 1/252 of 25.01 acres	0.12406%
(i) James Rose Heirs, Devisees, Successors or Assigns		
(i.2) Richard Rose Box 568 Keen Mountain, VA 24624	0.11165 1/224 of 25.01 acres	0.13956%
(i.3) Tessie Rose Vandyke 144 Legend Street Pounding Mill, VA 24637	0.11165 1/224 of 25.01 acres	0.13956%

Exhibit EE
Unit DD-28
Docket #VGOB-00-0418-0794-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

Need W-9

**Net Acres
in Unit** **Interest in
Unit** **Percent
of Escrow**

Tract #1 - 12.92 acres

COAL OWNERSHIP

(1)	Hugh Macrae Land Trust, Tr. 20 P. O. Box 29 Tazewell, VA 24651	12.92 acres	16.15000%
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CBM Royalty Owner from the Coal Claim:

Torch Oil & Gas Company
c/o Sue Ann Craddock
670 Dona Ana Road SW
Deming, New Mexico 88030

OIL & GAS OWNERSHIP

(1)	Catherine Hylton Heirs, Devisees Successors or Assigns	12.92 acres	16.15000%
(a) Narcie Smith Heirs, Devisees, Successors or Assigns			
(a.1)	Wesley Rufus Smith 620 Jewell Ridge Rd. Richlands, VA 24641	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.2)	Katherine Richardson PO Box 117 Jewell Ridge, VA 24622	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.3)	Ann S. Shreve 1701 Smith Ridge Rd. Jewell Ridge, VA 24622	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.4)	Bonnie Agner 320 Mitchell Rd. Kingsport, TN 37663	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.5)	Edith Mullins 2509 Isobella Drive Fort Pierce, FL 34981	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.6)	Roy Lee Smith 108 Wrenway Anderson, SC 29625	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(a.7)	Princess Casey 506 North Street Richlands, VA 24641	0.230714 1/56 of 12.92 acres	0.28839% 0.3291%
(b) Essie Hylton Hamric Heirs, Devisees, Successors or Assigns			
(b.1)	Patrick Hamric 102 Arabian Way Simpsonville, SC 29681	0.807500 1/16 of 12.92 acres	1.00938% 1.1518%

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Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(b.2) Claudia Hamric 421 East Chester Drive Ellittsville, IN 47429	0.807500 1/16 of 12.92 acres	1.00938%	1.1518%
(c) Nora B. Church 801 Wilson Road Oliver Springs, TN 37840 <i>(Only original heir still living)</i>	1.615000 1/8 of 12.92 acres	2.01875%	2.3036%
(f) Isaac Hylton Sr. Heirs (1/8)			
(f.1) Isaac W. & Sarah Hylton 1017 Bluebill Drive Concord, NC 28027	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(f.2) Michael J. & Rhonda Hylton 56 West Bank Street GQ Salisbury, NC 28144	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(f.3) Raymond L. & Linda Hylton 88 Smith Road Chelesa, AL 35043	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(f.4) Cynthia D. & Roger Wampler P.O. Box 1502 Sophia, WV 25921	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(f.5) Patton C. & Mary Hylton 306 Summit Drive Beckley, WV 25801	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(f.6) Margaret A. & James Byrge P.O. Box 87 Sophia, WV 25921	0.269167 1/48 of 12.92 acres	0.33646%	0.3839%
(g) Laura Elizabeth Hylton (Pat Hylton - 1/8)			
(g.1) Janie Sisk 171 Lakota Ave. Akron, OH 44319	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.2) William M. & Letty Hylton 5040 Lynn Drive West Columbia, SC 29170	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.5) Faye H. & Dr. Robert Abernathy 12150 Ridge Rowe Kings George, VA 22485-4591	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.7) Larry R. & Mary L. Hylton 507 Jay Street Ashland, OH 44805	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.8) Charles W. & Virginia Hylton 1054 Lynn Drive West Columbia, SC 29170	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%

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Unit DD-28
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Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(g.9) Frazier B. & Mary Hylton P.O. Box 54 Lexington, SC 29072	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.11) Peggy L. & Kenneth B. Dixon 1006 Hardy Place Wilmington, NC 28405	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.12) John P. Hylton 440 Emerson, Ave NW North Canton, OH 44720	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(g.13) James F. Hylton 111 Dyer Branch Road Gordonsville, TN 38563	0.146818 1/88 of 12.92 acres	0.18352%	0.2094%
(h) Artie Hylton Heirs (1/8)			
(h.1) Hazel B. Bucklin Heirs, Devisees, Successors or Assigns			
(h.1.1) Burnice Glen Bucklin 2022 Schuster Road Jerritsville, MD 21084	0.053833 1/240 of 12.92 acres	0.06729%	0.0768%
(h.1.2) Curtis Randall Bucklin 6807 Jerome Street Springfield, VA 22150	0.053833 1/240 of 12.92 acres	0.06729%	0.0768%
(h.1.3) Robert William Bucklin 1004 Vicksburg Lane Huntsville, AL 35803	0.053833 1/240 of 12.92 acres	0.06729%	0.0768%
(h.1.4) Phyllis Ann Bucklin Davis 211 Bibb Avenue Beckley, WV 25801	0.053833 1/240 of 12.92 acres	0.06729%	0.0768%
(h.1.6) Thomas Lynn Bucklin 195 Deep Meadow Drive Fishersville, VA 22939	0.053833 1/240 of 12.92 acres	0.06729%	0.0768%
(h.2) Atholine Payne 155 Madison Drive Newark, DE 19711	0.323000 1/40 of 12.92 acres	0.40375%	0.4607%
(h.3) James Cryton Christian Heirs, Devisees, Successors or Assigns			
(h.3.1) Betty Christian (widow) PO Box 571 Glen White, WV 25849	0.323000 1/40 of 12.92 acres	0.40375%	0.4607%
(h.5) Juanita Hylton Walker Heirs			
(h.5.1) Betty P. & Jack Goolsby 4009 Orchard Avenue Beckley, WV 25801	0.080750 1/160 of 12.92 acres	0.10094%	0.1152%
(h.5.2) Donald C. & Shirley Walker 623 Old Grandview Rd. Beaver, WV 25813	0.080750 1/160 of 12.92 acres	0.10094%	0.1152%

Exhibit EE
Unit DD-28
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List of Conflicting Owners/Claimants with Royalty Split Agreements

Need W-9		Net Acres in Unit	Interest in Unit	Percent of Escrow
<u>Tract #4 - 25.01 acres</u>				
<u>COAL OWNERSHIP</u>				
(1)	Coal Mountain Mining Company, Tr.1 Limited Partnership P.O. Box 675 Tazewell, VA 24651	25.01 acres	31.26250%	
<u>OIL & GAS OWNERSHIP</u>				
	Green J. Sisk Heirs, Devisees, Successors or Assigns, et al. (aka Green W. Sisk et al)	25.01 acres	31.26250%	
(1)	Ernest Keen Heirs, Devisees, Successors or Assigns			
(a)	Ralph & Grace Ann Keen 200 Summit Avenue Lebanon, VA 24266 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	2.345 3/32 of 25.01 acres	2.93086%	3.3444%
(b)	Elizabeth Ann Justice (Ann McCowan) P.O. Box 677 Rosedale, VA 24280 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	2.345 3/32 of 25.01 acres	2.93086%	3.3444%
(c)	Arnold J. & Wilda Ann Keene 962 Ascue Road Cedar Bluff, VA 24609 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	2.345 3/32 of 25.01 acres	2.93086%	3.3444%
(e)	Anna Ruth & J.C. Lambert Rt.4 Box 597 North Tazewell, VA 24639 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	2.345 3/32 of 25.01 acres	2.93086%	3.3444%
(e)	Ruby Lee Hale Heirs, Devisees, Successors or Assigns			
(d.1)	Billy Ray Hale P.O. Box 311 Honaker, VA 24260 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	0.782 1/32 of 25.01 acres	0.97695%	1.1148%
(d.2)	Linda K. Matney Box 738 Pounding Mill, VA 24637 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	0.782 1/32 of 25.01 acres	0.97695%	1.1148%
(d.3)	Brenda Weddle PO Box 185 Cedar Bluff, VA 24609 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	0.782 1/32 of 25.01 acres	0.97695%	1.1148%

Exhibit EE
Unit DD-28
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List of Conflicting Owners/Claimants with Royalty Split Agreements

Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(d.4) Carl Lee Hale PO Box 330 Pounding Mill, VA 24637 <i>(Inherited an additional 1/96 interest from Paul Keene along with the interest already owned.)</i>	0.782 1/32 of 25.01 acres	0.97695%	1.1148%
(f) Paul Keene (Deceased - 1/12 interest) - Leased under Doc #708387 and signed Royalty Split Agreement See notes above			
(2) J.H. Sisk Heirs, Devisees, Successors or Assigns			
(a) Maria Sisk Heirs, Devisees, Successors or Assigns 1/28 interest broken down among heirs			
(b) Ocie & Ted P. Davis 427 Kents Ridge Road Richlands, VA 24641 <i>(Inherited an additional 1/168 interest from Maria Sisk along with the interest already owned.)</i>	1.042 1/24 of 25.01 acres	1.30260%	1.4864%
(c) Pearlie & John Rose Heirs, Devisees, Successors or Assigns			
(c.1) Earl Shortt Heirs, Devisees, Successors or Assigns			
(c.1.2) Dorothy P. Shortt (Louisa Shortt) , widow 391 Whealton Road Hampton, VA 23666 <i>(Inherited an additional 1/3024 interest from Maria Sisk along with the interest already owned.)</i>	0.008 1/3024 of 25.01 acres	0.01034%	0.0118%
(c.1.3) David E. Shortt 110 Daphne Drive Grafton, VA 23692 <i>(Inherited an additional 1/3024 interest from Maria Sisk along with the interest already owned.)</i>	0.058 1/432 of 25.01 acres	0.07237%	0.0826%
(c.2) Rondal Rose Heirs, Devisees, Successors or Assigns			
(c.2.1) Helen Rose, widow P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.2) Larry Junior Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.3) Lacy Dwayne Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.4) Eva Loretta Hubbard P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.5) Terry Lee Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%

Exhibit EE
Unit DD-28
Docket #VGOB-00-0418-0794-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(c.2.6) Earnest Brady Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.7) Rondal Damon Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	Pending receipt of W-9
(c.2.8) Julie Lenora Ann Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.2.9) Shawn Kelly Rose P.O. Box 242 Doran, VA 24612 <i>(Inherited an additional 1/13608 interest from Maria Sisk along with the interest already owned.)</i>	0.013 1/1944 of 25.01 acres	0.01608%	0.0184%
(c.3) Georgia Bann Heirs, Devisees, Successors or Assigns			
(c.3.1) Sheila Janowski 13208 28 Mile Road Washington, MI 48094 <i>(Inherited an additional 1/3024 interest from Maria Sisk along with the interest already owned.)</i>	0.008 1/3024 of 25.01 acres	0.01034%	Pending receipt of W-9
(c.3.2) Diana Shepard 2246 Thistledowne Drive, NE Grand Rapids, MI 49505 <i>(Inherited an additional 1/3024 interest from Maria Sisk along with the interest already owned.)</i>	0.058 1/432 of 25.01 acres	0.07237%	0.0826%
(c.4) Orthie Burke Heirs, Devisees, Successors or Assigns			
(c.4.1) Elmer Lee Burke 1759 Riverside Dr. Raven, VA 24639 <i>(Inherited an additional 1/6048 interest from Maria Sisk along with the interest already owned.)</i>	0.029 1/864 of 25.01 acres	0.03618%	0.0413%
(c.4.2) James H. Burke P.O. Box 880 Raven, VA 24639 <i>(Inherited an additional 1/6048 interest from Maria Sisk along with the interest already owned.)</i>	0.029 1/864 of 25.01 acres	0.03618%	0.0413%
(c.4.3) Inis Mae Short P.O. Box 438 Cedar Bluff, VA 24609 <i>(Inherited an additional 1/6048 interest from Maria Sisk along with the interest already owned.)</i>	0.029 1/864 of 25.01 acres	0.03618%	0.0413%

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Unit DD-28
Docket #VGOB-00-0418-0794-01
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Need W-9	Net Acres in Unit	Interest in Unit	Percent of Escrow
(c.4.4) Anita Rose Cantrell 7342 Pine Street Radford, VA 24641 <i>(Inherited an additional 1/6048 interest from Maria Sisk along with the interest already owned.)</i>	0.029 1/864 of 25.01 acres	0.03618%	0.0413%
(c.5) Jennings Rose Heirs, Devisees, Successors or Assigns			
(c.5.1) Mabel C. Rose Heirs, Devisees, Successors or Assigns			
(c.5.1.1) Patricia Anne Harman 851 Scotts Creek Rd. Statesville, NC 28625 <i>(Inherited an additional 1/4536 interest from Maria Sisk along with the interest already owned.)</i>	0.006 1/4536 of 25.01 acres	0.00689%	Pending receipt of W-9
(c.5.1.2) Jerry Wayne Rose 331 Litz Lane Tazewell, VA 24651 <i>(Inherited an additional 1/4536 interest from Maria Sisk along with the interest already owned.)</i>	0.033 1/756 of 25.01 acres 0.006 1/4536 of 25.01 acres	0.04135% 0.00689%	0.0472% 0.0079%
(c.5.1.3) Shannon McGraw 2013 Brandy Rd. Cedar Bluff, VA 24609 <i>(Inherited an additional 1/9072 interest from Maria Sisk along with the interest already owned.)</i>	0.003 1/9072 of 25.01 acres	0.00345%	Pending receipt of W-9
(c.5.1.4) Frances Kate Short 3741 Baptist Valley Road Cedar Bluff, VA 24609 <i>(Inherited an additional 1/9072 interest from Maria Sisk along with the interest already owned.)</i>	0.003 1/9072 of 25.01 acres	0.00345%	Pending receipt of W-9
(c.6) Charlie Buford Rose 2080 Cambrian Drive Flint, MI 48504 <i>(Inherited an additional 1/1512 interest from Maria Sisk along with the interest already owned.)</i>	0.116 1/216 of 25.01 acres	0.14473%	0.1652%
(c.7) Robert W. Rose 1008 Short Road Raven, VA 24639 <i>(Inherited an additional 1/1512 interest from Maria Sisk along with the interest already owned.)</i>	0.116 1/216 of 25.01 acres	0.14473%	0.1652%
(c.8) Frances A. Webb 855 Stone Rd. Jewell Ridge, VA 24622 <i>(Inherited an additional 1/1512 interest from Maria Sisk along with the interest already owned.)</i>	0.116 1/216 of 25.01 acres	0.14473%	0.1652%
(c.9) Howard O. Rose 43 S. Farmer Street Richlands, VA 24641 <i>(Inherited an additional 1/1512 interest from Maria Sisk along with the interest already owned.)</i>	0.116 1/216 of 25.01 acres	0.14473%	0.1652%
(d) James Parrot Sisk Heirs, Devisees, Successors or Assigns (1/28)			

Exhibit EE
Unit DD-28
Docket #VGOB-00-0418-0794-01
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Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(d.1) Helen D. Sisk Heirs, Devisees, Successors or Assigns (1/28)			
(d.1.1) Eugene J. Sisk 4415 Pine Creek Swords Creek, VA 24649	0.208 1/120 of 25.01 acres	0.26052%	0.2973%
<i>(Inherited an additional 1/840 interest from Maria Sisk along with the interest already owned.)</i>			
(d.1.2) Ray Leon Sisk 4417 Pine Creek Rd. Swords Creek, VA 24649	0.208 1/120 of 25.01 acres	0.26052%	0.2973%
<i>(Inherited an additional 1/840 interest from Maria Sisk along with the interest already owned.)</i>			
(d.1.3) Linda D. Deskins 208 Whites Subdivision Rd. Cedar Bluff, VA 24609	0.208 1/120 of 25.01 acres	0.26052%	0.2973%
<i>(Inherited an additional 1/840 interest from Maria Sisk along with the interest already owned.)</i>			
(d.1.4) Margaret Gillespie Heirs, Devisees, Successors or Assigns (Heirs/Addresses Unknown)	0.208 1/120 of 25.01 acres	0.26052%	0.2973%
<i>(Inherited an additional 1/840 interest from Maria Sisk along with the interest already owned.)</i>			
(d.1.5) Harriett Nicewander P.O. Box 458 Richlands, VA 24641	0.208 1/120 of 25.01 acres	0.26052%	0.2973%
<i>(Inherited an additional 1/840 interest from Maria Sisk along with the interest already owned.)</i>			
(e) Oliver & Manda Sisk Heirs, Devisees, Successors or Assigns			
(e.1) Thelma Arbogast Rt.2 Box 284 Elkins, WV 26241	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
<i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			
(e.2) Vilven Nelson 439 Indian Creek Road Cedar Bluff, VA 24609	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
<i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			
(e.3) Ilean Shinall 401 Purcell Road Richlands, VA 24641	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
<i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			
(e.4) Fred Sisk 215 Bethany Drive Jonesborough, TN 37659	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
<i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			
(e.5) Otis William Sisk 4965 Old Belews Creek Road Winston Salem, NC 27101	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
<i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			

Exhibit EE
Unit DD-28
Docket #VGOB-00-0418-0794-01
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Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(e.6) Brady Sisk Box 569 Keen Mountain, VA 24624 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.7) Joyce Sisk 201 Carolina Avenue Richlands, VA 24641 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.8) Bernard Sisk 1464 Seven Mile Br. Rd. Raven, VA 24639 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.9) Mae Endicott 201 Carolina Ave. Richlands, VA 24641 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.10) Kenneth Ray Sisk Box 544 Oakwood, VA 24631 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.11) Carl Sisk Heirs, Devisees, Successors or Assigns <i>(Carl Sisk Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>			
(e.11.1) Jenny A. Sisk PO Box 535 Keen Mountain, VA 24624	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(e.12) Ira Junior Sisk P.O. Box 492 Oakwood, VA 24631 <i>(Inherited an additional 1/2016 interest from Maria Sisk along with the interest already owned.)</i>	0.087 1/288 of 25.01 acres	0.10855%	0.1239%
(f) Goldie V. Rose 1168 Floating Rd. Raven, VA 24639 <i>(Inherited an additional 1/168 interest from Maria Sisk along with the interest already owned.)</i>	1.489 5/84 of 25.01 acres	1.86086%	Pending receipt of W-9
(g) Charlie Sisk Heirs, Devisees, Successors or Assigns			
(g.1) Janie Sisk, widow 171 Lakota Ave. Akron, OH 44319	0.298 1/84 of 25.01 acres	0.37217%	0.4247%
(g.2) Linda Hale 189 8th Street NW Barberton, OH 44203 (BAD ADDRESS) <i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>	0.025 1/1008 of 25.01 acres	0.03101%	Pending receipt of W-9
(g.3) Brenda Sisk P.O. Box 1755 Grundy, VA 24614 (BAD ADDRESS) <i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>	0.025 1/1008 of 25.01 acres	0.03101%	Pending receipt of W-9

Exhibit EE
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Docket #VGOB-00-0418-0794-01
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Need W-9

	Net Acres in Unit	Interest in Unit	Percent of Escrow
(g.4) Jannifer J. Friend 7589 N. 7th Ave. Clinton, OH 44216	0.025 1/1008 of 25.01 acres	0.03101%	0.0354%
<i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>			
(g.5) Charlene Thompson 189 8th Street NW Barberton, OH 44203 (BAD ADDRESS)	0.025 1/1008 of 25.01 acres	0.03101%	Pending receipt of W-9
<i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>			
(g.6) Keith Sisk 189 8th Street NW Barberton, OH 44203	0.025 1/1008 of 25.01 acres	0.03101%	Pending receipt of W-9
<i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>			
(g.7) Charles Kim Sisk 189 8th Street NW Barberton, OH 44203 (BAD ADDRESS)	0.025 1/1008 of 25.01 acres	0.03101%	Pending receipt of W-9
<i>(Inherited an additional 1/1008 interest from Maria Sisk along with the interest already owned.)</i>			
(h) Joshua Rose Heirs, Devisees, Successors or Assigns (3/28)			
(h.1) Harold Rose Heirs, Devisees, Successors or Assigns (3/224)			
(h.1.1) Ricky B. Rose P.O. Box 995 Raven, VA 24639	0.084 3/896 of 25.01 acres	0.10467%	Pending receipt of W-9
(h.1.2) David Keith Rose 1825 Flat Hollow Rd. Pearisburg, VA 24134	0.084 3/896 of 25.01 acres	0.10467%	0.1194%
(h.1.2) Larry Allen Rose PO Box 425 Pounding Mill, VA 24637	0.084 3/896 of 25.01 acres	0.10467%	0.1194%
(h.1.2) Patricia Ann Osborne 878 Pardee Street Johnson City, TN 37601	0.084 3/896 of 25.01 acres	0.10467%	0.1194%
(h.2) Virgil Rose 460 Pond Street Pounding Mill, VA 24637	0.335 3/224 of 25.01 acres	0.41869%	Pending receipt of W-9
(h.3) Olbert Rose c/o Mary F. Rose HC66 Box 19 Richlands, VA 24641	0.335 3/224 of 25.01 acres	0.41869%	0.4778%
(h.4) Opal & Frank Tackett P.O. Box 777 Raven, VA 24639	0.335 3/224 of 25.01 acres	0.41869%	0.4778%

Exhibit EE
Unit DD-28
Docket #VGOB-00-0418-0794-01
List of Conflicting Owners/Claimants with Royalty Split Agreements

Need W-9	Net Acres in Unit	Interest in Unit	Percent of Escrow
(h.5) Alma & Roger McNulty 431 McNulty Rd. Cedar Bluff, VA 24609	0.335 3/224 of 25.01 acres	0.41869%	0.4778%
(h.6) Marie P. & Bobby E. Johnson 105 Brentwood Rd Raven, VA 24639	0.335 3/224 of 25.01 acres	0.41869%	0.4778%
(h.7) Darrell W. Rose 1168 Floating Rd. Raven, VA 24639	0.335 3/224 of 25.01 acres	0.41869%	Pending receipt of W-9
(i) James Rose Heirs, Devisees, Successors or Assigns			
(i.1) Nancy Rose 427 Kents Ridge Road Richlands, VA 24641	0.112 1/224 of 25.01 acres	0.13956%	0.1593%
(Requests her royalties be paid to her daughter, Tessie Vandyke)			

Exhibit A
Tract-by-Tract Escrow Calculation
Account Balances as of 12/31/09

Unit DD-28
VG0B 01-0918-0921-01
Acres Escrowed: 35.053750

Owners	Tract #	Acres	Owner Acres	Interest	Owners' Percent of Escrow (50%)	Amount Due Owners \$150,559.22
Torch Operating Company - Coal		12.920000			12.6349%	\$19,023.05
Catherine Hylton Heirs - O&G	1	12.92				
Wesley Rufus Smith			0.2307	1/56	0.3291%	\$495.47
Katherine Richardson			0.2307	1/56	0.3291%	\$495.47
Ann S. Shreve			0.2307	1/56	0.3291%	\$495.47
Bonnie Ager			0.2307	1/56	0.3291%	\$495.47
Edith Mullins			0.2307	1/56	0.3291%	\$495.47
Roy Lee Smith			0.2307	1/56	0.3291%	\$495.47
Princess Casey			0.2307	1/56	0.3291%	\$495.47
Patrick Hamrick			0.8075	1/16	1.1518%	\$1,734.14
Claudia Hamrick			0.8075	1/16	1.1518%	\$1,734.14
Nora B. Church			1.6150	1/8	2.3036%	\$3,468.29
Isaac W. & Sarah Hylton			0.2692	1/48	0.3839%	\$578.05
Michael J. & Rhonda Hylton			0.2692	1/48	0.3839%	\$578.05
Raymond L. & Linda Hylton			0.2692	1/48	0.3839%	\$578.05
Cynthia D. & Roger Wampler			0.2692	1/48	0.3839%	\$578.05
Patton C. & Mary Hylton			0.2692	1/48	0.3839%	\$578.05
Margaret A. & James Byrge			0.2692	1/48	0.3839%	\$578.05
Janie Sisk			0.1468	1/88	0.2094%	\$315.30
William M. & Letty Hylton			0.1468	1/88	0.2094%	\$315.30
Faye H. & Dr. Robert Abernathy			0.1468	1/88	0.2094%	\$315.30
Larry R. & Mary L. Hylton			0.1468	1/88	0.2094%	\$315.30
Charles W. & Virginia Hylton			0.1468	1/88	0.2094%	\$315.30
Frazier B. & Mary Hylton			0.1468	1/88	0.2094%	\$315.30
Peggy L. & Kenneth B. Dixon			0.1468	1/88	0.2094%	\$315.30
John P. Hylton			0.1468	1/88	0.2094%	\$315.30
James F. Hylton			0.1468	1/88	0.2094%	\$315.30
Bernice Glenn Bucklin			0.0538	1/240	0.0768%	\$115.61
Curtis Randall Bucklin			0.0538	1/240	0.0768%	\$115.61
Robert William Bucklin			0.0538	1/240	0.0768%	\$115.61
Phyllis Ann Bucklin Davis			0.0538	1/240	0.0768%	\$115.61
Thomas Lynn Bucklin			0.0538	1/240	0.0768%	\$115.61
Atholine Payne			0.3230	1/40	0.4607%	\$693.66
Betty Christian			0.3230	1/40	0.4607%	\$693.66
Betty P. & Jack Goolsby			0.0808	1/160	0.1152%	\$173.41
Donald C. & Shirley Walker			0.0808	1/160	0.1152%	\$173.41
Coal Mountain Mining Co. - Coal		21.8837500			26.3895%	\$39,731.78
G.W. Sisk Heirs - O&G	4	25.01				
Ralph & Grace Ann Keen			2.34469	3/32	3.3444%	\$5,035.33
Elizabeth Ann Justice (Ann McCowan)			2.34469	3/32	3.3444%	\$5,035.33
Arnold J. & Wilda Ann Keene			2.34469	3/32	3.3444%	\$5,035.33
Anna Ruth & J.C. Lambert			2.34469	3/32	3.3444%	\$5,035.33
Billy Ray Hale			0.78156	1/32	1.1148%	\$1,678.44
Linda K. Matney			0.78156	1/32	1.1148%	\$1,678.44
Brenda Weddle			0.78156	1/32	1.1148%	\$1,678.44
Carl Lee Hale			0.78156	1/32	1.1148%	\$1,678.44
Ocie & Ted P. Davis			1.04208	1/24	1.4864%	\$2,237.92
Louisa Shortt (Dorothy P. Shortt), Inherited			0.00827	1/3024	0.0118%	\$17.76
David E. Shortt			0.05789	1/432	0.0826%	\$124.33
Helen Rose			0.01287	1/1944	0.0184%	\$27.63
Larry Junior Rose			0.01287	1/1944	0.0184%	\$27.63
Lacy Dwayne Rose			0.01287	1/1944	0.0184%	\$27.63
Eva Loretta Hubbard			0.01287	1/1944	0.0184%	\$27.63
Terry Lee Rose			0.01287	1/1944	0.0184%	\$27.63
Earnest Brady Rose			0.01287	1/1944	0.0184%	\$27.63
Julie Lenora Ann Rose			0.01287	1/1944	0.0184%	\$27.63
Shawn Kelly Rose			0.01287	1/1944	0.0184%	\$27.63

Diana Shephard	0.05789	1/432	0.0826%	\$124.33
Elmer Burke	0.02895	1/864	0.0413%	\$62.16
James H. Burke	0.02895	1/864	0.0413%	\$62.16
Inis Mae Short	0.02895	1/864	0.0413%	\$62.16
Anita Rose Cantrell	0.02895	1/864	0.0413%	\$62.16
Jerry Wayne Rose	0.03308	1/756	0.0472%	\$71.05
Jerry Wayne Rose, Inherited	0.00551	1/4536	0.0079%	\$11.84
Charlie Buford Rose	0.11579	1/216	0.1652%	\$248.66
Robert W. Rose	0.11579	1/216	0.1652%	\$248.66
Frances A. Webb	0.11579	1/216	0.1652%	\$248.66
Howard O. Rose	0.11579	1/216	0.1652%	\$248.66
Eugene J. Sisk	0.20842	1/120	0.2973%	\$447.58
Ray Leon Sisk	0.20842	1/120	0.2973%	\$447.58
Linda D. Deskins	0.20842	1/120	0.2973%	\$447.58
Margaret Gillespie	0.20842	1/120	0.2973%	\$447.58
Harriet Nicewander	0.20842	1/120	0.2973%	\$447.58
Thelma Arbogast	0.08684	1/288	0.1239%	\$186.49
Vilven Nelson	0.08684	1/288	0.1239%	\$186.49
Ilean Shinall	0.08684	1/288	0.1239%	\$186.49
Fred Sisk	0.08684	1/288	0.1239%	\$186.49
Otis William Sisk	0.08684	1/288	0.1239%	\$186.49
Brady Sisk	0.08684	1/288	0.1239%	\$186.49
Joyce Sisk	0.08684	1/288	0.1239%	\$186.49
Bernard Sisk	0.08684	1/288	0.1239%	\$186.49
Mae Endicott	0.08684	1/288	0.1239%	\$186.49
Kenneth Ray Sisk	0.08684	1/288	0.1239%	\$186.49
Jenny Sisk	0.08684	1/288	0.1239%	\$186.49
Ira Junior Sisk	0.08684	1/288	0.1239%	\$186.49
Janie Sisk	0.29774	1/84	0.4247%	\$639.41
Jennifer & Lovelle Friend, Inherited	0.02481	1/1008	0.0354%	\$53.28
David Keith Rose	0.08374	3/896	0.1194%	\$179.83
Larry Allen Rose	0.08374	3/896	0.1194%	\$179.83
Patricia Ann Osborne	0.08374	3/896	0.1194%	\$179.83
Olbert Rose	0.33496	3/224	0.4778%	\$719.33
Opal & Frank Tackett	0.33496	3/224	0.4778%	\$719.33
Alma & Roger McNulty	0.33496	3/224	0.4778%	\$719.33
Marie P. & Bobby E. Johnson	0.33496	3/224	0.4778%	\$719.33
Nancy Rose	0.11165	1/224	0.1593%	\$239.78

Wells contributing to the escrow account:

DD28 & DD28A

INSTRUMENT #100001528
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JUNE 10, 2010 AT 02:04PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB